

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JONATHAN PAUL JONES,)	
)	
Petitioner,)	
)	
v.)	C.A. 15-771
)	
DAVID OVERMYER and)	
THE ATTORNEY GENERAL OF)	
PENNSYLVANIA,)	
)	
Respondents.)	

MEMORANDUM OPINION

JOY FLOWERS CONTI, Chief United States District Judge.

Petitioner Jonathan Paul Jones filed a Petition for Writ of Habeas Corpus on June 16, 2015. The case was referred to United States Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with Magistrate Judges Act, 28 U.S.C. § 636(b)(1) and Local Rules of Court 72.C and 72.D.

The Magistrate Judge’s Report and Recommendation [ECF No. 14] filed May 9, 2016 recommended that Plaintiff’s Rule 60(b) motion [ECF No. 5] be denied. Service of the Report and Recommendation was made on all parties. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2 they had until May 23, 2016 to file any objections. Petitioner timely filed objections on May 17, 2016 [ECF No. 15] to which Defendants have not responded. The objections (identified as a “response”) merely refer to a reply (4-28-2016) Petitioner asserts he filed, but which is not part of the record before this court and to Civil No. 16-170 and No. 16-472. He raised no specific substantive objections. The objections are without merit and the analysis set forth in the Report and Recommendation is appropriate and will be adopted. In addition, on June 23, 2016, petitioner again submitted the same allegations made in his Rule 60(b) motion, which he

captioned as a “Petition for Habeas Corpus” [ECF No. 18] which merely repeats the same allegations.

Accordingly, after a *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, the motion will be denied and an appropriate order will be entered:

DATED: June 30, 2016

/s/ Joy Flowers Conti
The Honorable Joy Flowers Conti
Chief United States District Judge

cc: The Honorable Robert C. Mitchell
United States District Court
Western District of Pennsylvania

Ronald M. Wabby, Jr.
Office of the District Attorney
Appeals/Post Conviction
401 Allegheny County Courthouse
Pittsburgh, PA 15219

Jonathan Paul Jones
FT2789
SCI Forest
PO Box 945
Marienville, PA 16239